OBSCENITY.

Punishment for. *See* CRIMINAL LAW (INDIAN), 12.

OBSTRUCTIONS IN FAIRWAYS ACT, 1881. (*See* FAIRWAYS) Act16,1881.

OFFENCE; definitions of. *See* WORDS AND PHRASES.

OFFENSIVE AND DANGEROUS TRADES.

Control over exercise of, in municipalities:

See under MUNICIPALITY (*sub-heading*, "THE PUBLIC HEALTH, SAFETY AND CONVENIENCE.")

OFFENSIVE MATTER.

Removal of. *See cross-references from* RUBBISH AND OFFENSIVE MATTER.

OFFICER.

Definitions of. *See* WORDS AND PHRASES.
See also PUBLIC OFFICER.

OFFICIAL ASSIGNEE. *See* INSOLVENCY, A, 3 (*a*).

OFFICIAL GAZETTES ACT, 1863. (*See* GAZETTE) . . . Act31,1863.

OFFICIAL SECRETS ACT, 1889 . . . . . 52-3V.c.52.

" " " (INDIAN), 1889 . . . . Act15,1889.

OFFICIAL SECRETS.

1889.	52-3 V, c. 52 (Official Secrets).	1896.	Act 2, s. 17 (Cotton Goods).
"	Act 15 (Official Secrets).	1898.	Act 13. s. 4 (Laws, Burma).
1890.	Reg. 1, s. 3 (Laws, British Baluchistan).	1901.	Act 8, s. 8 (Mines)

Penalty for wrongfully obtaining or seeking information in fortress, arsenal, etc., or taking sketch or plan of fortress, arsenal, etc. . . . . 52-3V.c.52,s.1. Act15,1889,s.3.

" " unauthorised communication of sketch, plan, etc. .

" " committing above offences with intent to communicate to foreign State . . . . . 52-3V.c.52,s.1(3). Act15,1889,s.3(3).

" " breach of official trust by official contractor, or employé . . . . . 52-3V.c.52,s.2. Act15,1889,s.4.

" " inciting to commit offence under Act . . . 52-3V.c.52,s.3.

Prosecution: expenses of . . . . . " s.4.

" restrictions on . . . . . " s.7. Act15,1889,s.5.

Presumptions . . . . . " s.3(2).

Power to arrest without warrant; procedure on arrest . . " s.6.

Certain offences declared cognizable; all other offences non-cognizable: bail . . . . . " s.5.

Power to suspend 52-3 V. c 52 in British Possession where similar law obtains . . . . . 52-3V.c.52,s.5.

Extent of Act . . . . . " s.6(1) Act15,1889,s.1.

Act 15, 1889, declared in force in British Baluchistan . . Reg.1,1890,s.3.

" " " in Upper Burma except the Shan States . Act13,1898,s.4,Sch.1.

Court for trial venue . . . . . 52-3V.c.52,s.6.

Definitions . . . . . " s.8. Act,15,1889,s.2.

OFFICIAL SECRETS—*contd.*

Information acquired on inspection of cotton-mill deemed an official secret; s. 4, but not s. 5, of Act 15, 1889, to apply . . . Act2,1896,s.17.

Information acquired in respect of mines; deemed confidential; disclosure punishable under Act 15, 1889, s. 4 . . . . Act8,1901,s.8.

OFFICIAL TRUSTEES ACT, 1864. (*See* ADMINISTRATOR GENERAL; OFFICIAL TRUSTEE) . . . . . Act17,1864.

OFFICIAL TRUSTEE.

1850. Act 12 (Public Accountants).
1864. Act 17 (Official Trustees).
1874. Act 2, s. 32 (Administrator General).
„ Act 3, s. 6 (Married Women's Property).
1882. Act 2, ss. 50, 73 (Trusts).
1890. Act 2 (Official Trustees).
„ Act 6, s. 15 (Charitable Endowments).
1902. Act 5 (Administrator General and Official Trustee).
1908. Act 16, s. 88 (Registration).

1. The Office of Official Trustee.
2. Rights, Powers, Duties and Commission.
3. Accounts and Schedules.
4. Miscellaneous.

1. The Office of Official Trustee.

Official Trustee to be appointed for each of the Presidencies of Bengal, Madras and Bombay . . . . . Act 17,1864,s.4.

Application of definitions contained in Administrator General's Act of "Presidency of Bengal," "Presidency of Madras" and "Presidency of Bombay . . . . . „ s.2.

Power to divide Presidency of Bengal into provinces and appoint an Official Trustee for each; consequences to ensue thereupon „ s.34.

Government to appoint, suspend, or remove Official Trustee . „ s.5.

Administrator General eligible for office . . . . . „ s.6.

Deputy Administrator General, where Administrator General is Official Trustee, may discharge functions of . . . . Act5,1902,s.2(*1*).

Existing Official Trustees deemed appointed under Act 17, 1864, as amended by Act 2, 1890 . . . . . Act2.1890,s.8.

Security to be given by Official Trustee . . . . . Act12,1850 Act17,1864,s.6.

Recovery of defalcations from Official Trustee . . . . Act12,1850.

Leave of absence to Official Trustee; appointment and position of successor . . . . . Act17,1864,s.7.

Liability of Government for acts of, when remunerated by salary Act5,1902,s 3(2),(3).

2. Rights, Powers, Duties and Commission.

When Administrator General is Official Trustee and is paid by salary, commission or other remuneration received by Official Trustee to be credited to Government . . . . Act5,1902,s.3(*1*).

Official Trustee may be appointed trustee of settlement by grantor; his remuneration . . . . . Act17,1864,ss.8,9.

„ „ may in certain cases be appointed trustee by order of Court; his commission . . . . Act17,1864,ss.10,11 Act2,1882,s.73.

„ „ may be appointed by Administrator General to be trustee of assets vested in latter; his commission . . . . . Act2,1874,s.32.

Payment to Official Trustee of sum secured by insurance on life of husband for benefit of wife and children . . . . Act3.1874,s.6.

OFFICIAL TRUSTEE—*contd.*

2. Rights, Powers, Duties and Commission—*contd.*

Gift or legacy to which infant or lunatic entitled may be transferred to Official Trustee . . . . . Act17,1864,s.32.

Official Trustee to pay expenses of his establishment and other charges; his commission what to cover . . . . . „ s.12.

Power of Administrator General as Official Trustee to incur expenditure for certain purposes . . . . . Act5,1902,s.7.

Prohibition in Trusts Act, 1882, against trustee charging for services does not apply to Official Trustee . . . . . Act2,1882,s.50.

Official Trustee to be sole trustee . . . . . Act17,1864,s.13.

Orders of appointment to be made *ex officio* . . . . . „ s.17.

Investment of trust-moneys . . . . . „ ss.14,20.

Orders by High Court as to trust-property; re-transfer of trust-property . . . . . „ ss.15,16.

Power of High Court to give general or special directions where Administrator General is Official Trustee . . . . . Act5,1902,s.5(*1*).

Vesting of property, etc., in successor of Official Trustee . . Act17,1864,s.17.

Suits, etc., by or against Official Trustee to be brought in name of office; not to abate by his death, resignation or removal . „ s.18.

3. Accounts and Schedules.

Separate accounts to be kept for each trust, and to be open to inspection . . . . . „ s.19.

Official Trustee to furnish yearly schedules for each trust and list of securities; order of Chief Justice required for inspecting or taking copies of schedules . . . . . „ s.22.

Power of Chief Justice to require additional accounts to be kept „ s.20.

Appointment of auditors by Chief Justice . . . . . „ s.23.

Duties and powers of auditors, and procedure when irregularities disclosed; payment of costs . . . . . „ ss.24to 29.

Settlement and payment of costs of preparing schedules and accounts, etc. . . . . „ s.26.

4. Miscellaneous.

Punishment for neglecting to produce papers, etc., to auditor . „ s.25.

Power of Chief Justice to make rules for guidance of Official Trustee . . . . . „ ss.20,21.

Official Trustee to comply with requisition by Government for returns and statements . . . . . „ s.33.

Order of High Court to be equivalent to decree . . . „ s.30.

Who may apply for order . . . . . „ s.31.

Registration of documents executed by Official Trustee in his official capacity . . . . . Act16,1908,s.88.

Payment of income-tax by. *See* INCOME-TAX, 3.

Powers of, not affected by Charitable Endowments Act . . Act6,1890,s.15.

OIL-FIELDS. *See* UPPER BURMA OIL-FIELDS REGULATION, 1910.

OPENING.

Of railway. *See* RAILWAY, 4.

Of tramway. *See* TRAMWAYS, A, 3.

OPIUM ACT, 1857. (*See* OPIUM) Act13,1857,

OPIUM ACT, 1878 (*See* ATTACHMENT; CUSTOMS; OPIUM) . Act1,1878.

OPIUM.

I.—GENERALLY. | II.—BENGAL, CENTRAL PROVINCES, EASTERN BENGAL AND UNITED PROVINCES.

I.—GENERALLY.

Act I, 1878, extends to notified [1] areas . . . . . Act1,1878,s.1.

„ „ declared in force in—

Upper Burma except the Shan States . . Act13,1898,s.4,Sch.I.

the Santhál Parganas . . . . . Reg.3,1872,s.3,Sch.

British Baluchistan . . . . . Reg.1,1890,s.3.

Angul District . . . . . Reg.1,1894,s.3.

Prohibition or regulation of cultivation, manufacture, possession, transport, import, export and sale of . . . . . Act1,1878,ss.4,5,9.

Power to impose duties on . . . . . „ ss.5,6.

Duty leviable on imports of, by sea, or imports by land from foreign territory . . . Act8,1894,ss.3,5,Sch.3.

„ „ coastwise . . . . . Act8,1878,s.20(*b*). Act8,1894,ss.2(*4*),7.

Drawback not allowed on re-exportation . . . . . Act8,1878,s.50(*d*).

Warehousing . . . . . Act 1,1878,ss.7to9.

Farm of duties leviable on retail sale . . . . . „ s.5(*f*).

Penalties . . . . . „ ss.9,18.

Presumption of offence . . . . . „ s.10.

Confiscation; fine in lieu thereof; disposal of things confiscated; rewards to officers and informers . . . . . „ ss.11to13.

Powers of entry, seizure, search and arrest; disposal of person arrested or thing seized; report of arrests and seizures . . „ ss.14to22.

Attachment of illicit crop; bail to be taken from cultivator . „ s.22.

Recovery of arrears of fee or duty, arrears due from or to farmer, and penalties due under bond . . . . . „ ss.23,24,25. (U.B.)Reg.3,1889,ss.37 to46.

Officers of other Departments bound to assist in executing Opium Act . . . . . Act1,1878,ss.14to18.

Prohibition of unlicensed importation, manufacture, barter, sale or possession of opium into or in Andamans; penalty . . (And.)Reg.3,1876,ss.31, 32.

Seizure and confiscation of opium on boat in river Kuladan not protected by pass; penalty on boatman . . . . . (Ara.)Reg.9,1874,ss.16,17.

Report of offences to be made by rural policemen . . . (As.)Reg.1,1883,s.18(*10*).

Power to require security from persons earning livelihood by unlawful manufacture, etc., of opium . . . . . Bur.Act7,1909,s.3.

Power to search for opium liable to confiscation; seizure of opium and arrest of offender . . . . . „ s.4.

In cantonments. *See* CANTONMENT, 2.

In Upper Burma Hills. *See* CHIN HILLS, 5; KACHIN HILLS, 5.

II.—BENGAL, CENTRAL PROVINCES [2], EASTERN BENGAL AND UNITED PROVINCES.

1. Preliminary.

Ben. Reg. 20, 1817, s. 29, declared in force throughout Bengal except as regards the Scheduled Districts . . . . . Act15.1874,s.6.

[1] Most, if not all, provinces in British India have been notified.

[2] Ss. 3 to 20, 24, 30 and 31 of Act XIII of 1857, and Ben. Reg. 20, 1817, do not apply to the Central Provinces. Reg. 20 of 1817 does not apply to the Central Provinces or the Sambalpur District of Bengal and is obsolete in Eastern Bengal.

OPIUM—*contd.*

II.—BENGAL, CENTRAL PROVINCES, EASTERN BENGAL AND UNITED PROVINCES—*contd.*

1. Preliminary—*contd.*

Act 13, 1857, declared in force—

throughout Bengal (except Sambalpur District), Eastern Bengal and Agra except as regards the Scheduled Districts . Act15,1874,ss.6,7.

in the Santhál Parganas . Reg.3,1872,s.2,Sch.

in the Central Provinces and Sambalpur District in Bengal (ss. 21 to 23, 25 to 29) . Act20,1875,s.3.

in Oudh (with modifications) . Act18,1876,s.3.

2. Officers of Opium Department.

Appointment of; control of, by Board of Revenue . Act13,1857,s.3.

Suit against, barred, unless plaintiff has first applied to Opium Agent for redress; petition to Board of Revenue . ,, s.4.

Opium Agent not to institute suit without sanction of Board of Revenue . ,, s.5.

Suits by or against, may be conducted by Board . ,, s.6.

Penalty for receipt of illegal gratification by . ,, s.17.

,, connivance at embezzlement or illegal disposal of opium . ,, s.20.

Attendance of, before Criminal Courts, how and when to be secured . Ben.Reg.20,1817,s.29(*1*) to(*4*).

3. Cultivation of poppy and disposal of produce.

Licenses for cultivation; issue of; contents and form of . Act13,1857,ss.7,8.

,, ,, ,, power to withhold; appeal to Agent . ,, s.9.

Price to be paid to cultivators . ,, s.7.

Optional with cultivators to engage for cultivation; punishment of officers using compulsion . ,, s.9

Penalty on cultivator not cultivating full quantity of land for which he received advance; adjudication of penalty; appeal to Agent . ,, s.10.

Delivery, weighment, examination, classification and confiscation of produce; examination of weights and scales . ,, ss.11to15.

Non-liability of produce to attachment for rent or under decree . ,, s 11.

Adjustment of accounts and recovery of balance from cultivator ,, s 16.

Rent of cess illegally exacted by landholder; recovery of, with penalty . ,, s 18.

Penalty on cultivator embezzling or illegally disposing of opium ,, s.19.

,, for illegally purchasing, receiving, etc., opium from cultivator, etc. . ,, s.20.

Unlicensed cultivation; penalty for; seizure and confiscation of opium . ,, s.21.

,, ,, landholders, farmers, tahsildars, Police-officers, Excise-officers and Native officers to give information of, under penalty . ,, ss.22,23.

,, ,, power to attach crop on discovery of . ,, ss.24,25.

,, ,, ,, to arrest person engaged in . ,, s.24.

OPIUM—*contd.*

I.—BENGAL, CENTRAL PROVINCES, EASTERN BENGAL AND UNITED PROVINCES—*contd.*

3. Cultivation of poppy and disposal of produce—*contd.*

Unlicensed cultivation; s. 22 of Opium Act, 1878, as to attachment of poppy illegally cultivated, not to apply . . . . . Act I, 1878, s. 22.

Police-officers to suppress illicit cultivation, manufacture, sale, purchase, importation, transport or possession of opium; penalty . . . . . Pen. Reg. 20, 1817, s. 29 (*9*), (*12*).

Power to authorise cultivation of poppy and manufacture of opium without license, and to make rules for delivery of opium so produced . . . . . Act 13, 1857, s. 31.

4. Miscellaneous.

Adjudication of offences; limitation . . . . . ,, s. 26.

Imprisonment in default of payment of fine . . . . . ,, s. 27.

Enhanced punishment on second and subsequent convictions . ,, s. 28.

Imprisonment to be in civil jail . . . . . ,, s. 29.

Rewards to informers and to officers who apprehend offenders . ,, s. 30.

ORDINANCES.

Power of Governor General to make . . . . . 24-5 V. c. 67, s. 23.

ORDINATIONS FOR COLONIES ACT, 1819.[1] (*See* BISHOPS AND CLERGY) . . . . . 59 G. 3, c. 60.

ORDNANCE CORPS.

Compensation on retirement to officers of . . . . . 37-8 V. c. 61.

ORISSA.

Tributary Mahals of:

Execution in Bengal or Eastern Bengal of certain sentences passed in . . . . . Act 11, 1893, s. 4.

Cuttack:

What territories included in district of . . . . . Ben. Reg. 13, 1805, s. 2.

Power to alter boundaries of district . . . . . ,, s. 3.

Abolition of sair-duties in . . . . . Ben. Reg. 12, 1805, s. 31.

Revenue-free grants in. *See* LAND-REVENUE, III, 3 (*c*) (*i*), (*ii*).

Registers of landed property; settlement and collection of land-revenue. *See* LAND-REVENUE, III, 5.

Rural Police in. *See* POLICE, III, E.

See also PENSIONS AND GOVERNMENT GRANTS.

Cuttack, Puri and Balasore:

Settlement of land-revenue. *See* LAND-REVENUE, III, 3 (*a*).

Puri. *See* PILGRIM, B.

See also ANGUL DISTRICT; BANKI; EMBANKMENT.

For further provisions enacted specially for Orissa, see the appropriate heads.

[1] This short title was given by 50 & 60 Vict. c. 14

OUDH.

1. Laws.

Certain Bengal Regulations declared in force (with modifications), to the exclusion of all others	Act 18, 1876, ss. 2, 3(*e*), Sch. I, Sch. II.
Certain Acts of the Governor General in Council declared in force with modifications	,, s. 3, Sch. II.
Law to be administered; validation of customs	,, ss. 3, 4.

2. Civil Justice.

Restriction of claims under Muhammadan contracts of dower	,, s. 5.
Modifications in Code of Civil Procedure as in force in Oudh	,, ss. 19, 20, 22.
Right of occupancy in judgment-debtor's sir-land sold, etc., under Code of Civil Procedure	,, ss. 25, 39(*g*).
Power of Judicial Commissioner to make rules for custody and sale of attached property	,, s. 27.
Revenue agents authorised to appear, etc., in rent-suits	,, s. 26.

3. Criminal Justice.

Confirmation of capital sentences	Act 14, 1891, s. 7.
Hearing of cases by Judicial Commissioner and Additional Judicial Commissioner sitting together; procedure in case of difference of opinion	,, ss. 8, 9.

4. Pre-emption.

Definition	Act 18, 1876, s. 6.
Presumption as to, and proof of, right of	,, ss. 7, 8.
Exercise of right	,, ss. 9 to 12.
Suit to enforce right	,, ss. 13 to 15.
Right of pre-emption at sale in execution of decree for arrears of rent	Act 22, 1886, s. 155.
,, ,, ,, for arrears of revenue	U.P. Act 3, 1901, s. 182.

See also PRE-EMPTION.

5. Police.

Village and Road Police:	
Nomination and appointment of village-policemen	Act 18, 1876, ss. 29 to 32.
Appointment of road-policemen	,, s. 33.
Duties of	,, ss. 34, 35.
Punishment of; application of fines levied from	,, ss. 36 to 38
Power to make rules for	,, s. 39
,, to impose rate for maintenance of rural police; power to exempt from operation of Act or liability to rate	U.P. Act 2, 1906, ss. 8, 21.
Recovery of rate from landholder; recovery by him from co-sharer, etc.	,, ss. 9, 11, 14 to 19.
Suits as to rate by what Courts cognizable; appeals	
Rural Police Fund; constitution, application and account of	,, s. 10.
Bar to jurisdiction of Civil Courts as to assessments	,, s. 20.
Power of Local Government to make rules as to assessment, etc.	,, s. 21.
Power to confer police-powers on any person, and power to withdraw such powers	Act 18, 1876, s. 44.

OUDH—*contd.*

6. Miscellaneous.

Power to make rules as to—
disposal of unclaimed property . . . . . } Act18,1876,s.39.
conservancy, watch and ward at fairs and assemblies, and imposition of taxes for those purposes . . . . . } Act18,1876,s.39.
keeping of records . . . . . } Act18,1876,s.39.
appointment, etc., of ministerial officers . . . . } Act18,1876,s.39.
Rules: publication of; penalty for breach of . . . . „ ss.40,42.
For further provisions enacted specially for Oudh, see the appropriate heads.

OUDH AND ROHILKHAND RAILWAY PURCHASE ACT, 1888. (*See* FINANCE; RAILWAY, 10) . . . . . } 51-2V.c.5.
OUDH CIVIL COURTS ACT, 1879. (*See* CIVIL COURTS IV; MATRIMONIAL CAUSES; MORTGAGE; SEAL) . . . . } Act13,1879.
OUDH COURTS ACT, 1891. (*See* CAPITAL PUNISHMENT; CIVIL COURTS IV; OUDH) . . . . . } Act14,1891
OUDH COURTS ACT (1891) AMENDMENT ACT, 1897 . . Act16,1897.
OUDH ESTATES ACT, 1869. [*See* CROWN LANDS; LAND-REVENUE (OUDH); TALUQDARS AND GRANTEES (OUDH)] . . } Act1,1869.
OUDH ESTATES (AMENDMENT) ACT, 1910. [*See* TALUQDARS AND GRANTEES (OUDH)] . . . . . } U.P.Act3,1910.
OUDH LAWS ACT, 1876. (*See* ACTS AND REGULATIONS OF INDIAN LEGISLATURES I; ALLUVION AND DILUVION; COURT; DOWER; MARCHING TROOPS; OPIUM; OUDH; POLICE II; PUBLIC OFFICER; STATE OFFENCES; STATE PRISONERS; TRAVELLER; UNCLAIMED PROPERTY) . . . . . } Act18,1876.
OUDH RENT ACT, 1866, AMENDMENT ACT, 1901 . . . U.P.Act4,1901.
OUDH RENT ACT, 1886. (*See* LANDLORD AND TENANT X) . Act22,1886.
OUDH SETTLED ESTATES ACT, 1900. (*See* SETTLED ESTATE) U.P.Act2,1900.
OUDH SETTLED ESTATES (AMENDMENT) ACT, 1910 . U.P.Act2,1910.
OUDH SUB-SETTLEMENT ACT, 1866. [*See* LAND-REVENUE (OUDH 3)] . . . . . } Act26,1866.
OUDH TALUQDARS' RELIEF ACT. (*See* INCUMBERED ESTATES V) } Act24,1870.
OUT-PORTS LANDING AND SHIPPING FEES ACT (MADRAS), 1885. (*See* PORT) . . . . . } Mad.Act3,1885.
OWNER; Definitions of. *See* WORDS AND PHRASES.

PALANQUIN.

I.—BENGAL (EXCEPT SAMBALPUR DISTRICT) AND EASTERN BENGAL.

1. Preliminary.

Ben. Act 2, 1891, applies to—
Calcutta . . . . . Ben.Act2,1891,s.1(3).
Towns and places to which Ben. Act 5, 1866, was extended by notification under s. 54 thereof . . . . . „ s.2(2).
Ben. Act 2, 1891, may be extended to other towns and places by notification . . . . . „ s.1(3).
When Act so extended, persons may be appointed to exercise functions of Commissioners and Chairman of Calcutta Municipality; consequential amendments in Act . . . . „ s.61.